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12 **CHANGES MADE BY COURT**
13 **NOT FOR PUBLICATION**

14 **UNITED STATES BANKRUPTCY COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **LOS ANGELES DIVISION**

17 In re) Case No. 2:17-bk-15007-RK
18)
19 EUGEN VALENTIN DIETL,) Chapter 11
20)
21 Debtor.) **ORDER GRANTING MOTION BY**
22) **SIMON RESNIK HAYES LLP TO**
23) **WITHDRAW AS GENERAL**
24) **BANKRUPTCY COUNSEL TO THE**
25) **DEBTOR**
26)
27) Date: October 25, 2017
28) Time: 11:00 a.m.
) Place: Courtroom 1675
) 255 E. Temple Street
) Los Angeles, CA 90012

29 A hearing took place at the above time and location to consider Simon Resnik
30 Hayes LLP's (the "Firm") MOTION TO WITHDRAW AS GENERAL BANKRUPTCY
31 COUNSEL (Docket No. 63) [the "Motion"]. *Appearances are noted on the record.*

32 After consideration of the Motion, creditor Law Office of Marilyn Smith's (the
33 "Creditor") Opposition thereto (Docket No. 64), the Firm's Reply thereto (Docket No. 78);
34 and after colloquy between counsel and the Court at the hearing; and for the reasons stated

1 by the Court in its tentative ruling and on the record at the hearing; and good cause
2 appearing therefor,

3 IT IS HEREBY ORDERED that:

- 4 1. The Motion is **GRANTED**;
- 5 2. Creditor's Opposition is overruled; and
- 6 3. The Firm is hereby relieved as attorneys of record for EUGEN VALENTIN
7 DIETL, Debtor and Debtor-in-Possession herein.

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Date: October 30, 2017



Robert Kwan
United States Bankruptcy Judge

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TENTATIVE RULING

The court is inclined to grant the motion to withdraw permissively based on conduct of the client rendering the representation unreasonably difficult to carry out the employment effectively based on a breakdown of the relationship as described by counsel pursuant to California Rule of Professional Conduct 3-700(C)(1)(d). Debtor has filed no written opposition to the motion, but the court will hear any oral opposition of debtor at the hearing since he is effectively representing himself at this hearing. Creditor Marilyn Smith filed an opposition raising concerns about debtor's fiduciary duties regarding management of estate assets, but those concerns are addressable by other remedies, such as her motion to dismiss, convert or appoint trustee. Appearances are required on 10/25/17.

END OF TENTATIVE RULING